

Serial No.: 09/938,447, filed August 24, 2001
Docket No.: 1140668-0024
Page 5 of 9

RECEIVED
CENTRAL FAX CENTER

APR 09 2007

REMARKS/ARGUMENTS

I. STATUS OF THE PENDING CLAIMS

Claims 1-20 are pending in the application. Claims 1, 3-8, 10, 11, 13, 14, 18 and 20 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,968,302 to Ahrens et al. ("Ahrens"). Claims 2, 9, 12, 15-17 and 19 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ahrens in view of U.S. Patent No. 6,374,112 to Widegren et al. ("Widegren").

Applicants respectfully traverse the rejections on the basis of the following arguments.

II. REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1, 3-8, 10, 11, 13, 14, 18 and 20 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ahrens. Applicants respectfully traverse this rejection on the basis of the following arguments.

A rejection of a claim under 35 U.S.C. § 102(b) requires a showing that the applied reference identically discloses each and every claim limitation. If even one claim limitation is not disclosed in the reference, the claim is patentable over the reference.

Independent Claim 1

Ahrens does not identically disclose each element of independent claim 1. Claim 1 recites *processing* of control data and communication of said control data from a remote machine. There is absolutely nothing in the portions of Ahrens cited by the Examiner, or elsewhere in the document, to suggest that the computer executes any *processing* of the test data beyond that previously performed by a test and measurement device (e.g., an off the shelf oscilloscope or logic analyzer). Ahrens, at best, relates to a computer that simply *relays* test data from the test and measurement device to a further device.

Serial No.: 09/938,447, filed August 24, 2001
Docket No.: 1140668-0024
Page 6 of 9

Claim 1 further recites a processor that processes multimedia information regarding a monitored status of a remote machine. Ahrens only refers to a video camera that is positioned to view the display panel of the test and measurement device. A video camera is not a processor as claimed in the instant application. Furthermore, a video camera that merely *records* a display panel is not *processing* multimedia information.

For at least these reasons, Applicants submit that independent claim 1, and claim 2-10 that depend from claim 1, recite allowable subject matter.

Independent Claim 11

Similarly, claim 11 also recites limitations that are not disclosed or suggested by Ahrens. Claim 11 teaches a method for providing multimedia monitoring and control of a remote machine using a control device coupled to a processor for *processing* information generated by the monitored remote machine. Again, as discussed above, Ahrens' apparatus does not involve a computer that transforms or processes information from the test and measurement device.

Claim 11 further recites a processor *generating* multimedia information regarding a monitored status of the remote machine. A video camera that merely *records* a display panel of an oscilloscope is not *generating* multimedia information as claimed in the present application. In fact, the Examiner seems to acknowledge that the video camera and the computer are separate and distinct devices which have entirely different and non-overlapping functions.

For at least these reasons, Applicants submit that independent claim 11, and claims 12-20 that depend from claim 11, recite allowable subject matter.

Dependent Claims 4 and 14

Ahrens also fails to disclose each and every limitation of dependent claims 4 and 14. These claims depend respectively from claims 1 and 11, and further recite an augmented-reality device that generates multimedia information corresponding to one or more senses of a user in the vicinity of a remote machine.

Serial No.: 09/938,447, filed August 24, 2001
Docket No.: 1140668-0024
Page 7 of 9

While Ahrens may allude to a systems engineer in telephone contact with a user in the vicinity of a test device, Applicants respectfully submit that this is hardly an augmented reality device as claimed. For this additional reason, Applicants submit that claims 4 and 14 are patentably distinguished over the cited art.

Dependent Claim 6

The Examiner alleges the transmission of a video image over a standard telephone connection anticipates *trace functionality* transferred over a telecommunication link for *real-time* transmission of multimedia data. Again, no such disclosure can be found in Ahrens. "Trace functionality" is a term of art in the field of automation technology. There is nothing in Ahrens to suggest "trace functionality," and even so, the transmission of video over a standard telephone connection is undeniably distinct from *real-time* transmission. Therefore, for this additional reason, Applicants submit that claim 6 is patentable over Ahrens.

Dependent Claims 8 and 18

Dependent claims 8 and 18 recite multiple data-processing units coupled remotely to a machine for controlling the processing of *multimedia* information in which each has a telecommunication connection for *real-time* transfer of *multimedia* information to a control device. Ahrens does not disclose multiple data-processing units as claimed, let alone multiple units that transfer multimedia information in real-time. Nothing in Ahrens suggests real-time transmission of information. The passages relied upon by the Examiner in rejecting the claims merely relate to the multiple components of the remote analysis tool kit, none of which arguably transfer multimedia information besides the common video camera.

For at least these additional reasons, claims 8 and 18 are submitted to distinguish patentably over the art of record.

Serial No.: 09/938,447, filed August 24, 2001
Docket No.: 1140668-0024
Page 8 of 9

RECEIVED
CENTRAL FAX CENTER

APR 09 2007

III. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 2, 9, 12, 15-17 and 19 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Ahrens in view of Widegren.

Claims 2 and 9 depend from claim 1 and Applicants submit that these claims are patentable for the same reasons as set forth above in Section II. Claims 12, 15-17 and 19 depend from claim 11 and are similarly submitted to recite patentable subject matter.

Moreover, Applicants respectfully submit that the Examiner's combination of the applied references is improper. Ahrens is purportedly directed to the remote analysis and control of a test and measurement device, such as an oscilloscope or logic analyzer. Widegren allegedly discloses flexible mobile communications in a universal mobile telephone system ("UMTS"). The Examiner alleges that it would be obvious to one of ordinary skill in the art to combine Widegren's UMTS connection with Ahrens because it would "increase the flexibility of Ahrens' system by providing a wide variety of mobile communications services and resources to support those services."

Applicants respectfully submit that the Examiner's rationale for combining the cited documents is improper. The standard for obviousness is not whether one reference combined with another would provide any kind of advantage.

Widegren has nothing to do with testing a device in general, let alone the remote analysis and control of such a test. Therefore, such a combination could only be arrived at, impermissibly, with the benefit of the instant application as a guide.

Furthermore, the two disclosures are in entirely separate technological fields, and one of ordinary skill in the art would not have been motivated to combine the two references as done by the Examiner with the benefit of impermissible hindsight. The Examiner has not demonstrated that there is any intrinsic motivation or suggestion in each document to combine them to purportedly arrive at the pending claims.

FROM W&C 20FLOOR

(MON) 4. 9' 07 20:01/ST. 19:59/NO. 4865014600 P 9

Serial No.: 09/938,447, filed August 24, 2001
Docket No.: 1140668-0024
Page 9 of 9

RECEIVED
CENTRAL FAX CENTER

APR 09 2007

The Examiner's combination of Ahrens and Widegren is not only improper, but also fails to yield the pending claims. Widegren does not remedy the significant deficiencies of Ahrens, as discussed above.

Accordingly, claims 2, 9, 12, 15-17 and 19 are not suggested by the combination of Ahrens and Widegren, whether alone or in combination, and therefore should be allowed.

CONCLUSION

Claims 1-20 are currently pending in the application. Applicants submit that these pending claims, for the reasons set forth above, recite patentable subject matter and are in condition for allowance. Reconsideration and allowance are therefore respectfully requested.

The Commissioner is authorized to charge any required fee to Deposit Account No. 23-1703.

Dated: April 9, 2007

Respectfully submitted,

/Andrew Fessak/

Reg. No. 48,528

Customer No. 007470

White & Case LLP

Direct Line: (212) 819-8437